

United States District Court  
Middle District Of Pennsylvania

Daniel Ortiz-Medina  
(Plaintiff)

FILED  
SCRANTON

DEC 16 2019

VS.

Per

Amo  
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\* Civil #

E. Bradley-Warden at U.S.P. Canaan  
FNU Bodge - S.I.S. at U.S.P. Canaan \*  
(Defendants)

Prisoner Civil Rights Complaint Pursuant  
To Bivens v. Six Unknown Named Agents  
Of Federal Bureau Of Narcotics, 403 U.S.  
388 (1971).

Plaintiff's Information

Daniel J. Ortiz-Medina # 11128-069  
FMC Lexington  
P.O. Box 14500  
Lexington, KY. 40512.

Are there additional plaintiff's? No.



(2)

## Defendant's Information

E. Bradley-Warden at U.S.P. Canaan  
United States Penitentiary Canaan  
P.O. Box 400  
Waymart, PA 18472.

Are you suing this defendant in his/her:  
☐ personal capacity ☒ official capacity ☐ Both Capacities  
Are you suing more than one defendant? Yes.

FNU Bodge-S.I.S. at U.S.P. Canaan  
United States Penitentiary Canaan  
P.O. Box 400  
Waymart, PA 18472.

Are you suing this defendant in his/her:  
☐ personal capacity ☐ official capacity ☒ Both Capacities  
Are you suing more than one defendant? Yes.

## I. Previous Lawsuits

Have you filed any other lawsuits in state or federal court relating to your imprisonment? Yes.

Please list all prior civil actions or appeals that you have filed in federal court while you have



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been incarcerated.

Docket or Case Number:

5:18-CV-00500-Oc-35 PRL

Name of Court:

United States District Court Middle District of Florida  
Ocala Division.

Parties:

Daniel Ortiz-Medina (Plaintiff) vs.

FNU Cheatham, FNU Dunbar, FNU Goodman,  
FNU Rutherford, John Doe-1, John Doe-2  
(Defendants).

Disposition:

Still pending proceedings.

Docket or Case Number:

3:15-CV-1928

Name of Court:

United States District Court Middle District of Penn-  
sylvania.

Parties:

Daniel Ortiz-Medina (Plaintiff) vs.

United States Of America (Defendant).

Disposition:

Dismissed Without Prejudice for filing under  
Federal Tort Claim Act when I was suppose  
to file under Bivens vs. Six Unknown Agents  
of Federal Bureau Of Narcotics, 403 U.S. 388 (1971).



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## II. Statement Of Facts

I arrived at U.S.P. Canaan on 12-10-18 and immediately requested protection to S.I.S. Arroyo due to me being a G-27 and Neta drop-out gang member & having problems with Black hands California EME, Sureños, Mara Salvatrucha, Tango Blast, Netas and G-27's which puts my life, security and safety in jeopardy in any gang active institution where these gangs are at. Further, I have a cooperating SKI.I plea agreement in one of my criminal cases (Crim. # 95-160) which puts my life, safety & security in jeopardy in any & all gang active institutions. While at R&D I was told to sign a packet as of why I needed to be placed under protective custody, which I did fill out the packet & I was placed in "S.H.U." awaiting S.I.S. investigation. S.I.S. Rosehance started the investigation & then the investigation was passed to S.I.S. Bodge. While being in "S.H.U." my cell-mate Ray Nicholson was released to general population & I sent a letter with him to IM Walter Merced-Nieves (G-27 member) & IM Badger (Black hand California member) asking if it was O.K. for me to come out to G.P. because



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Ms. Bodge (S.I.S.) told me that I was going to rot in "S.H.U." if I did not debrief. I responded that I haven't been a gang member since 2,001 (over 15 years), hence, there's nothing that I can say about any gang. On 3-21-19 she brought me a Memorandum stating that I would debrief or I wouldn't debrief so I signed where it stated that I wouldn't debrief. On that exact date S.I.S. Bodge stated that I/M Walter Merced-Nieves and I/M Badger told her that I couldn't come out to the general population because I was no good & that they would have to kill me. However, Ms. Bodge ignored their statements & continued focused & obsessed in making me debrief which never happened. I went above Ms. Bodge filing through the Warden (E. Bradley) who continued stating that there was nothing he could be able to do because he had to go through whatever the S.I.S. investigation decided. That those were his staff & that he trusted them. I filed cop-outs, BP-8's, BP-9's, BP-10's and a BP-11 without obtaining any positive results. I still remained in "S.H.U." for seven (7) months & I was still transferred to another active gang institution where I



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placed again in "S.H.U." under protective custody (PC) in U.S.P. McCreary on 7-17-19 until 9-20-19 when I was trans seg to FMC Lexington where I remain in "S.H.U." under protective custody (PC) awaiting transfer to God knows where because I continue to be under unverified status.

### III. Relief

While in "S.H.U." at U.S.P. Canaan I was never provided my property nor my legal property nor my legal books which affected my appeals (motions) pending in my criminal case #95-042 (D.R.D.) in the District Court For Puerto Rico and my civil lawsuit case #5:18-cv-00500-OC-35PRL which was dismissed without prejudice in the District Court For The Middle District Of Florida Ocala Division. Further, the actions of the defendants caused Plaintiff emotional distress & mental sufferness in violation of 18 U.S.C. § 2340. Besides, the actions of the defendants incurred in the violations of Plaintiff's Constitutional rights to the First, Fifth, Sixth and Eighth Amendments. Also, the actions of the defendants



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literally left Plaintiff without communication with family members, friends, courts, lawyers, etc...

Wherefore, Plaintiff very respectfully requests that this Honorable Court grant the following relief:

Award compensatory and punitive damages for the amount of six million dollars (\$6,000,000<sup>00</sup>) to the Plaintiff.

Respectfully Submitted!

On this 3<sup>rd</sup> day of December, 2019.

By Mr. Daniel J. Ortiz-Medina #1128-069  
FMC Lexington  
P.O. Box 14500  
Lexington, KY 40512.  
Daniel J. Ortiz.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Daniel J. Ortiz. Date: 12/3/19.



Daniel G. O'Leary #1128-069  
U.S. District Court  
P.O. Box 14500  
Scranton, KY 40512.

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United States District Court  
Middle District of Pennsylvania  
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